

0.5906 Across Board Rescission

Pawtucket, RI, for academic and literacy, character education, career preparation, and enrichment activities for youth; for Department of Education, \$250,000, for Whatcom Community College, Bellingham, WA, to establish a center for training in border security; for Department of Education, \$400,000, for Westchester Community College, NY, for personnel, equipment and other programmatic expenses for The New Center; for Department of Education, \$50,000, for the Marymount Institute for the Education of Women and Girls of Marymount College of Fordham University, Tarrytown, NY, for a mentoring project to enhance the academic and social development of Latina girls at Sleepy Hollow Middle School; for Department of Education, \$500,000, for Northern Kentucky University, Highland Heights, KY, for the Urban Learning Center to expand access to postsecondary education; for Department of Education, \$500,000, for Iron County School District, Cedar City, UT, for a student achievement management information system; for Department of Education, \$200,000, for Western Maine Technical College, South Paris, ME, for education programs and marketing activities; for Department of Education, \$275,000, for the YMCA of the Triangle Area, Raleigh, NC, for youth mentoring, character education and leadership activities; for Department of Education, \$325,000, for Communities in Schools of Northeast Texas, Inc., Pflugerville, TX, for educational services for at-risk students; for the Institute of Museum and Library Services, \$300,000, for The Hudson River Museum, Yonkers, NY, for the "Hudson River Access" science education project; for the Institute of Museum and Library Services, \$375,000, for the Tubman African American Museum, Macon, GA for exhibits, education programs and outreach activities; for the Institute of Museum and Library Services, \$300,000, for the Maine Discovery Museum, Bangor, ME, for exhibits and education programs; for the Institute of Museum and Library Services, \$225,000, for the North Carolina State Museum of Natural Sciences, Raleigh, NC, to develop exhibits and education programs; for the Department of Housing and Urban Development, "Community Development Fund", Economic Development Initiative program, for carrying out targeted economic investments, \$3,010,000, to be allocated in the amounts and under the terms and conditions specified on pages 33 through 60 of House Report 108-235 for projects numbered 35, 52, 60, 61, 174, 175, 177, 181, 195, 223, 250, 265, 297, 333, 408, 409, 410, 421, 438, 439, 441, 496, 509, 574, and 583; and for the Environmental Protection Agency, "State and Tribal Assistance Grants" to local communities for repair, replacement or upgrading of their drinking water, wastewater or storm water infrastructure or for water quality protection activities, \$600,000, to be allocated under the terms and conditions specified on pages 111 through 127 of House Report 108-235 for projects numbered 121 and 226.

SEC. 168 (a) RESCISSIONS.—From unobligated balances of amounts made available in Public Law 107-38, and in Public Law 107-117, and in appropriations Acts for the Department of Defense, \$1,800,000,000 is hereby rescinded: Provided, That the Director of the Office of Management and Budget, after consultation with the Committees on Appropriations of the House and Senate and the Secretary of Defense, shall determine the amounts to be rescinded from each account that is to be so reduced: Provided further, That the rescissions shall take effect no later than September 30, 2004: Provided further, That the Director of the Office of Management and Budget shall notify the Committees on Appropriations of the House and Senate 30 days prior to rescinding such amounts: Provided further, That such notification shall include the accounts, programs, projects and activities from which the funds will be rescinded: Provided further, That this section shall not apply to any amounts appropriated or otherwise made available by the seventh proviso under the heading

"Emergency Response Fund" in Public Law 107-38.

(b) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.59 percent of—

(1) the budget authority provided (or obligation limitation imposed) for fiscal year 2004 for any discretionary account in divisions A through H of this Act and in any other fiscal year 2004 appropriation Act (except any fiscal year 2004 supplemental appropriation Act; the Department of Defense Appropriations Act, 2004, or the Military Construction Appropriations Act, 2004);

(2) the budget authority provided in any advance appropriation for fiscal year 2004 for any discretionary account in any prior fiscal year appropriation Act; and

(3) the contract authority provided in fiscal year 2004 for any program subject to limitation contained in any division or appropriation Act subject to paragraph (1).

(c) PROPORTIONATE APPLICATION.—Any rescission made by subsection (b) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(d) OMB REPORT.—Within 30 days after the date of the enactment of this section the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to subsection (b).

This division may be cited as the "Miscellaneous Appropriations and Offsets Act, 2004".

And the Senate agree to the same.

BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
FRANK R. WOLF
(except for section
617 of Division B),
JAMES T. WALSH,
DAVE HOBSON,
HENRY BONILLA,
JACK KINGSTON,
RODNEY P.
FREELINGHUYSEN,
GEORGE R. NETHERCUTT,
JR.,
TOM LATHAM,
VIRGIL GOODE,
RAY LAHOOD,
JOHN P. MURTHA,

Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER BOND,
MITCH MCCONNELL,
CONRAD BURNS,
RICHARD C. SHELBY,
JUDD GREGG,
ROBERT F. BENNETT,
BEN NIGHTHORSE
CAMPBELL,
LARRY CRAIG,
KAY BAILEY HUTCHISON,
MIKE DEWINE,
SAM BROWNBACK,
DANIEL K. INOUE,
TOM HARKIN,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2004, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2004; the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004; the District of Columbia Appropriations Act, 2004; the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004; the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004; the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004; the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004; and the Miscellaneous Appropriations and Offsets Act, 2004.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress's own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: "Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law."

The House and Senate report language that is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

In cases in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

In instances where the conference report refers to "the Committees," it is the intent of the managers to mean the Committees on Appropriations of both House and Senate.

TITLE I—AGRICULTURAL PROGRAMS PRODUCTION, PROCESSING, AND MARKETING OFFICE OF THE SECRETARY

The conference agreement provides \$5,092,000 for the Office of the Secretary instead of \$3,468,000 as proposed by the House and \$10,046,000 as proposed by the Senate.

The conferees note that the Congress included an authorization in the Farm Security and Rural Investment Act of 2002 (Section 10802) for a food biotechnology education program. This program is intended to provide the public with science-based evidence on the safety of foods produced with

year 2004, instead of \$57,000,000, as proposed by the House.

The conference agreement adopts, by reference, Senate language regarding EDIS II, an electronic filing project and a certain report.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION OPERATIONS AND ADMINISTRATION

The conference agreement includes \$395,123,000 in total resources for the programs of the International Trade Administration (ITA) for fiscal year 2004, of which \$13,000,000 is to be derived from fee collections, as proposed by the House, instead of \$375,053,000, of which \$3,000,000 is to be derived from fee collections, as proposed by the Senate.

The conference agreement adopts by reference language in the House report regarding the mission of the ITA, the failure of ITA to meet its mission, and the May 22, 2003 public hearing on the efforts of the International Trade Administration, the Bureau of Customs, and the Office of the United States Trade Representative to support U.S. businesses.

The conferees understand the difficulties in attempting to balance the positive and the negative effects of a free trade agenda. The conferees are steadfast in their support of America's trade policy to create growth and raise living standards around the globe, and in return to increase the benefits to U.S. workers, farmers, consumers, and businesses. Yet, the U.S. Government must uphold its responsibility to enforce trade laws, particularly with China. If trading partners do not abide by the rules that are set in the global trading system, then U.S. firms are not competing on a level playing field.

The United States Government has an obligation to ensure American companies are not forced to compete with foreign companies that are engaged in unfair trading practices, including receiving subsidies from their governments.

The conference agreement includes by reference House report language regarding the Trade Policy Body Review, Reports, Reorganization, Trade Promotion, American Trading Centers, Manufacturing and Services, Import Administration, Investigations/Operations, Office of China Compliance, Policy and Negotiations, New Shipper Review Process, Market Access and Compliance, Executive Direction/Administration, Human Rights Training, Trade Missions, International Standards, and Travel Expenditures.

The conferees direct the Secretary of Commerce to report back to the Committees on Appropriations, no later than January 20, 2004, on the trade and U.S. employment impact of the currency valuation of our trading partners including, China, Japan, Vietnam, South Korea, Taiwan, the Ukraine, and Indonesia.

The conferees expect the Secretary of Commerce, in consultation with the U.S.-China Economic and Security Commission, to report back to the Committees no later than May 1, 2004. The conferees have extended the deadline further than the deadline proposed in the House report.

The conference agreement includes bill language designating the amounts available for each unit within ITA. The conferees remind ITA that any deviation from the funding distribution provided in the bill and report, including carryover balances, is subject to reprogramming procedures set forth in section 605 of this Act. In addition, ITA is directed to submit to the Committees on Appropriations, not later than 60 days after the enactment of this Act, a spending plan for all ITA units that incorporates any carryover balances from prior fiscal years.

The conference agreement includes \$10,000,000 for the National Textile Center, \$3,000,000 for the Textile/Clothing Technology Corporation, \$1,000,000 for the Kansas Trade Center, and \$500,000 for the International Trade Processing Center, as proposed by the Senate.

The conference agreement adopts, by reference, language as proposed by the Senate under the heading of World Trade Organization.

The conference agreement adopts, by reference, language regarding the Appalachian-Turkish Trade Project as proposed by the Senate.

The conference agreement adopts, by reference, language proposed in the House regarding an international competitiveness program and the Office of Textiles.

Of the amounts provided, \$500,000 is for a comprehensive study of future domestic demand for steel.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

The conference agreement includes a total operating level of \$68,203,000 for the operations and administration of the Bureau of Industry and Security (BIS), as proposed by the House, instead of \$73,060,000, as proposed by the Senate.

The conference agreement adopts, by reference, House report language under the headings of Export Administration, Export Enforcement, and Management and Policy Coordination.

The conferees are aware of the invaluable expert technical capabilities of the seized computer evidence recovery specialists. However, due to the shortage of specialists within BIS, the conferees direct BIS to forge a closer relationship with the Federal Bureau of Investigation (FBI) in this area to take greater advantage of the FBI's technical expertise.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement includes \$288,115,000 for Economic Development Assistance (EDA) Programs. The conferees direct EDA to continue traditional programs to provide needed assistance to communities struggling with long-term economic dislocation, as well as sudden and severe economic dislocation. Of the amounts provided, \$202,280,000 is for Public Works and Economic Development, \$40,900,000 is for Economic Adjustment Assistance, \$24,000,000 is for planning, \$8,435,000 is for technical assistance, including university centers, \$12,000,000 is for trade adjustment assistance, and \$500,000 is for research.

The conference agreement adopts, by reference, proposed by the House regarding coal and timber industry downturns.

The conference agreement adopts, by reference, Senate language regarding the economic downturns including the timber, steel, and coal industries, United States-Canadian trade-related issues, communities in New England, the mid-Atlantic, Hawaii, and Alaska impacted by fisheries regulations, and communities in the southeast impacted by downturns due to the North American Free Trade Agreement, and a certain report.

SALARIES AND EXPENSES

The conference agreement includes \$30,565,000 as proposed by both the Senate and the House.

The conference agreement adopts, by reference, House language regarding efforts to maximize the operating funding level, a special headquarters reserve fund, Indian lands, employees, and requirements for reorganization proposals.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The conference agreement includes \$28,859,000 for the Minority Business Development Agency for fiscal year 2004, instead of \$29,000,000 as proposed by the House, and \$28,718,000 as proposed by the Senate. The conference agreement adopts, by reference, House language regarding the Entrepreneurial Technology Apprenticeship Program.

The conference agreement adopts, by reference, Senate language regarding the Office of Native American Business Development.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The conference agreement includes \$75,000,000, as proposed by the House, instead of \$84,756,000 as proposed by the Senate for the economic and statistical analysis programs of the Department of Commerce, including the Bureau of Economic Analysis (BEA), for fiscal year 2004.

The BEA has received programmatic increases over the past three years to ensure that policy makers have access to more accurate and timely economic data.

BUREAU OF THE CENSUS

The conference agreement includes a total operating level of \$630,864,000 for the Bureau of the Census, instead of \$661,961,000 as proposed by the House, and \$550,878,000 as proposed by the Senate.

SALARIES AND EXPENSES

The conference agreement includes \$194,811,300 for the salaries and expenses of the Bureau of the Census for fiscal year 2004, instead of \$181,811,000 as proposed by the Senate, and \$220,908,000 as proposed by the House.

The conference agreement adopts by reference House report regarding the highest priority core activities, reimbursement, the North American Industry Classification System (NAICS), key reports, and Advanced Technology.

PERIODIC CENSUSES AND PROGRAMS

The conference agreement includes a total of \$436,053,000 for all periodic censuses and related programs in fiscal year 2004, as proposed by the House, instead of \$369,067,000 as proposed by the Senate.

The conference agreement adopts language proposed by the House under the American Community Survey (ACS), Master Address File (MAF)/Topologically Integrated Geographic Encoding and Referencing (TIGER), and Subgroup Enumeration.

The conference agreement includes \$107,090,000 for the re-engineered design process, of which \$3,605,000 is for design strategy, \$18,559,000 is for data collection design research, \$16,969,000 is for questionnaire and content design, \$3,900,000 is for address list updates, \$22,287,000 is for software related to quality assurance and integration, and \$41,770,000 is for test evaluation.

The conference agreement includes funding as proposed by the House for the non-decennial census periodic programs.

The conferees expect to be kept apprised on a monthly basis on the expenditure of these funds.

NATIONAL TELECOMMUNICATIONS AND

INFORMATION ADMINISTRATION

The conference agreement includes a total of \$51,604,000 for the National Telecommunications and Information Administration (NTIA), instead of \$32,544,000 as proposed by the House, and \$85,542,000 as proposed by the Senate.

SALARIES AND EXPENSES

The conference agreement includes \$14,604,000 for the Salaries and Expenses appropriation of the NTIA as proposed by the

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House, instead of \$15,042,000 as proposed by the Senate.

The conference agreement adopts, by reference, language proposed by the House regarding electromagnetic spectrum and a report regarding the allocation of spectrum.

The conference agreement adopts, by reference, language proposed by the House regarding the maximization of the operating level and reimbursements.

The conference agreement adopts, by reference, language proposed by the Senate regarding a paperless system.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The conference agreement includes \$22,000,000, instead of \$2,538,000 as proposed by the House, and \$55,000,000 as proposed by the Senate.

The conference agreement adopts, by reference, language proposed by the House regarding public television stations, and language proposed by the Senate regarding digital broadcasting as it relates to rural areas.

INFORMATION INFRASTRUCTURE GRANTS

The conference agreement includes \$15,000,000 for the Information Infrastructure Grant program, instead of \$15,402,000 as proposed in the House, and \$15,500,000 as proposed by the Senate.

The conferees expect NTIA to give preference to applications relating to the expansion of commercial entities to enable local communities to attract commercial investment to spur growth of American jobs, especially in the areas of education, health care, and public information. The conferees expect NTIA to work with the Economic Development Administration to ensure resources are leveraged to result in the largest benefit to local communities suffering from economic downturns.

The conference agreement adopts, by reference, language proposed by the Senate regarding the eligibility of certain law enforcement entities for funding.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The conference agreement includes \$1,222,460,000 for the United States Patent and Trademark Office (USPTO) for fiscal year 2004, instead of \$1,238,700,000 as proposed by the House, and \$1,217,460,000 as proposed by the Senate.

The conference agreement includes language restricting certain travel payments. The conferees note that there is broad agreement that the patent process is in dire need of reform.

The conference agreement adopts, by reference, language proposed by both the House and Senate regarding the Administration's legislative fee proposal.

The conference agreement adopts, by reference, language proposed by the House regarding the National Inventor's Hall of Fame and Inventure Place and the International Intellectual Property Institute.

The conferees remind the PTO that any changes from the funding distribution provided in the bill and report including carryover balances are subject to the reprogramming procedures set forth in section 605 of this Act.

In addition, PTO is directed to submit to the Committees on Appropriations, not later than three months after the enactment of this Act, a spending plan, which incorporates any carryover balances from previous fiscal years and any increases to the patent or trademark fee structure.

The conferees adopt, by reference, language proposed by the House regarding intellectual property protections for American businesses in international negotiations and telework.

SCIENCE AND TECHNOLOGY TECHNOLOGY ADMINISTRATION SALARIES AND EXPENSES

The conference agreement includes \$6,411,000 under this heading, instead of \$7,822,000 as proposed by the House, and no funding as proposed by the Senate.

The conference agreement includes \$450,000 for the National Medal of Technology Program under the heading "National Institute of Standards and Technology, Scientific and Technical Research and Services".

The conference agreement includes \$600,000 for the Office of Space Commercialization and \$500,000 for the Interagency Global Positioning System Executive Board Secretariat under the heading of "National Oceanic and Atmospheric Administration, Operations, Research, and Facilities".

The conference agreement provides \$335,000 for the Technology Administration to conduct an assessment of the extent and implications of workforce globalization in knowledge-based industries such as life sciences, information technology, semi-conductors and financial services. The conferees expect the assessment to focus on U.S. firms' business strategies and practices, as well as the education and training programs in countries such as Japan, China, and India. The conferees expect monthly updates on the progress of this effort, and direct that a summary of findings be reported back to the Committees on Appropriations no later than six months from enactment of this Act.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The conference agreement includes \$628,102,000 for the National Institute of Standards and Technology (NIST) for fiscal year 2004, instead of \$460,059,000 as proposed by the House, and \$845,000,000 as proposed by the Senate.

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes \$344,366,000 for the Scientific and Technical Research and Services (core programs) of the NIST, instead of \$357,862,000 as proposed by the House, and \$391,147,000 as proposed by the Senate.

The following is a breakdown of the amounts provided under this account by activity.

| | Fiscal Year 2004 Recommendation (\$ in 000) |
|--|---|
| Electronics & Electrical Manufacturing Engineering | \$44,700 |
| Chemical | 21,800 |
| Physics | 42,313 |
| Building and Fire Research | 37,675 |
| Materials Science & Engineering | 21,542 |
| Computer & Applied Mathematics | 53,000 |
| Technology Assistance | 49,478 |
| Award Programs | 15,000 |
| Research Support | 5,655 |
| | 53,203 |
| Total, STRS | 344,366 |

Under the Electronics and Electrical heading, \$3,000,000 is for the Office of Law Enforcement Standards, \$1,200,000 is for the For Inspiration and Recognition of Science and Technology Program (FIRST), and \$500,000 is for a joint project between FIRST and the Boston Museum of Science.

Under the Manufacturing heading, \$800,000 is for a spreadsheet engineering initiative at the Tuck School of Business.

Under the Chemical Science and Technology heading, \$1,600,000 is for the Hollings Marine Laboratory, and \$400,000 for advanced measurements, standards, and data that

health care providers and researchers need to improve health care quality.

Under the Physics heading, \$725,000 is for the necessary critical back-up elements for the NIST time scale and time dissemination services, and \$1,450,000 is for research to develop measurements and standards for nanotechnology-based products.

Under the Building and Fire heading, \$3,000,000 is for costs relating to the World Trade Center investigation, \$1,900,000 is to continue a certain wind demonstration project in Texas, and \$600,000 is for a school safety and preparedness project at the National Infrastructure Institute.

Under the Award Program heading, \$450,000 is for costs associated with the National Medal of Technology.

In addition, under the Research Support heading, \$2,400,000 is to continue a certain telework project, \$6,500,000 is to continue a certain critical infrastructure program, and \$5,500,000 is for maintenance and operations costs at the Advanced Measurement Laboratory.

The agreement does not include an increase to the amount to be transferred to the working capital fund.

The conference agreement adopts, by reference, language included in past years, regarding the A-76 contracting process.

INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes \$218,782,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology, instead of \$39,607,000 as proposed by the House, and \$369,223,000 as proposed by the Senate.

The conference agreement includes \$179,175,000 for the Advanced Technology Program, instead of \$259,600,000 as proposed by the Senate, and no funding as proposed by the House. The conference agreement does not include a \$50,000,000 new program as proposed by the Senate for ATF focused competitions on homeland security technologies. The conferees agree that a focused competition on homeland security technologies should be held out of the \$60,700,000 provided for new awards.

The conference agreement includes \$39,607,000 for Manufacturing Extension Partnership, the same amount as proposed by the House, instead of \$106,000,000 as proposed by the Senate.

CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement includes \$64,954,000 for the construction and major renovations of the NIST campuses at Boulder, Colorado, and Gaithersburg, Maryland.

The Committee directs NIST to report to the Committees on Appropriations on the progress of these construction projects on a quarterly basis beginning with the second quarter of fiscal year 2004.

This account supports all NIST activities by providing state of the art facilities necessary to carry out the NIST mission.

The conference agreement provides sufficient funding to complete the new Advanced Measurement Laboratory in Gaithersburg, Maryland and the conferees expect occupancy by 2005.

The conference agreement adopts, by reference, language proposed by the Senate regarding a facilities improvement plan.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement does not include \$20,743,000 for the International Fisheries Commissions under this heading, as proposed by the Senate, and provides funding for this purpose under Title IV of this Act. The conference agreement does not include \$5,000,000 for a new litigation and settlement fund, as proposed by the Senate.

The conference agreement fulfills the agreement regarding conservation activities as included in the Title VII of the Interior and Related Agencies Appropriation Act of 2001.

OPERATIONS, RESEARCH, AND FACILITIES
(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes total funding of \$2,748,520,000, as proposed by the Senate, instead of \$2,259,705,000 as proposed by the House. Of the amounts provided, \$62,000,000 is from balances in the account entitled, "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", instead of \$79,251,000 as proposed by the House, and \$52,000,000 as proposed by the Senate.

The conference agreement includes language to allow NOAA to retain gifts and contributions made under the Marine Sanctuary Program.

Language is also included in the bill specifying the total amount of direct obligations available for each of the NOAA line offices and other related activities funded through this account. The conference agreement includes language prohibiting administrative charges levied against certain activities assigned in the bill or the report accompanying this Act.

NOAA is directed to submit a spending plan to the Committees on Appropriations at a level of detail comparable to that of the tables included in this report. The plan shall be delivered not later than 60 days after the enactment of this Act.

The conferees expect NOAA to comply with reprogramming and transfer requirements under sections 204 and 605 of this Act.

The conference agreement adopts, by reference, the direction and reporting requirements included in language proposed by the Senate under the heading of Pacific Salmon Funding, including language relating to validation monitoring.

The following identifies the activities, sub-activities, and projects funded in this appropriation:

NATIONAL OCEAN SERVICE

The conference agreement includes a total of \$513,910,000 for activities of the National Ocean Service (NOS) for fiscal year 2004. The conference agreement adopts, by reference, language proposed by the House under the heading of Mapping and Charting.

The conference agreement adopts, by reference, language proposed by the House under the heading Long-Term Vessel Charter. The conference agreement provides an additional \$2,500,000 for this purpose. The conferees expect to be kept apprised of any changes to the plan.

The conferees continue to support the implementation of the Physical Oceanographic Real-Time System program and the National Water Level Operation Network, including work in the Great Lakes.

The conference agreement includes funding to increase coastal ocean monitoring and prediction efforts for West Florida.

The conferees recognize and support the work of NOAA and the U.S. Coral Reef Task Force (CRTF) to protect and preserve coral reefs. Coral reefs are the most complex, species-rich and productive marine ecosystems. Reefs cover two percent of the ocean's floor, yet they support one-third of all marine fish species and tens of thousands of other marine species, providing essential fish habitat for endangered and threatened species, and harboring protected marine mammals and turtles. Coral reef fisheries yield 6 million metric tons of fish catch annually, with one-quarter of total worldwide fish production occurring in developing countries with coral reefs. NOAA and the CRTF are developing and implementing coordinated efforts to map and monitor U.S. coral reefs, research coral reef degradation, reduce and mitigate coral reef degradation from pollution and other causes, and carry out strategies to pro-

mote conservation and sustainable use of coral reefs internationally.

The conference agreement adopts, by reference, language proposed by the Senate under the headings of Budget Structure and Various. The conference agreement consolidates all NOAA coral reef funding under NOS. The conferees expect NOAA to prepare a spending plan for coral reef funding and deliver to the Committees on Appropriations, not later than January 15, 2004.

The conference agreement adopts, by reference, language proposed by the Senate under the heading of Coastal Ocean Science.

The conferees have provided a significant amount of funding during the past two years for the establishment of an integrated inter-agency ocean and coastal observing system. The conferees understand that NOAA has outlined a strategy for establishing a national network. The conferees expect regional entities to share the costs of the funding the establishment of an integrated inter-agency ocean and coastal observing system. Therefore, the conferees plan to require all participants receiving funding from the Federal government to contribute an equal share of funds in fiscal year 2005.

Of the amounts available under the Aquatic Resources Initiative, up to \$750,000 is for Bluegrass Pride, Inc.

The conference agreement includes a new structure as proposed in the Senate bill for identifying and funding extramural research. The conferees direct NOAA to submit a spending plan within 30 days outlining the process for administering the program. The conferees do not intend for the new structure to restrict current participation by the external research community or by researchers identified with the National Centers for Coastal Ocean Science laboratories. The conferees do intend, however, that greater interaction and participation occur between the external research community and Federal researchers located at NOAA's laboratories.

| NATIONAL OCEAN SERVICE (\$000) | FY04 Conference |
|--|--------------------|
| NOS Operations - Salaries & Expenses | 151,251 |
| Navigation Services: | |
| Mapping & Charting: | |
| Coastal Mapping | 535 |
| MS/LA Digital Coast | 500 |
| Shoreline Mapping | 3,465 |
| Chesapeake Bay | 1,000 |
| Aerial | 1,000 |
| Hydrographic Surveys: | |
| Address Survey Backlog/Contracts | 21,300 |
| EEZ Outer Continental Shelf Ocean Bottom Claims | 2,226 |
| Gulf of Alaska | 2,500 |
| North Pacific | 1,000 |
| North Pacific Maritime Boundary Line | 1,000 |
| Hydrographic Surveys | 1,339 |
| Vessel Lease/Time Charter | 2,500 |
| Joint Hydrographic Center | 4,250 |
| Joint Hydrographic Center - Bathymetric Research | 3,200 |
| Marine Modeling & Geospatial Technology | 1,146 |
| Electronic Navigational Charts | 4,350 |
| Nautical Charting | 6,759 |
| Navigational Services | 1,885 |
| Subtotal, Mapping and Charting | 59,955 |
| Geodesy: | |
| CA | 1,000 |
| WA | 500 |
| AL | 1,989 |
| LA | 497 |
| MS | 500 |
| NC | 993 |
| SC | 497 |
| WI | 2,989 |
| National Spatial Reference System | 2,150 |
| Subtotal, Geodesy | 11,115 |
| Tide & Current Data: | |
| Alaska Current & Tide Data | 1,500 |
| Upper Cook Inlet Tidal Research | 497 |
| Great Lakes NWLON | 1,987 |

| NATIONAL OCEAN SERVICE (\$000) | FY04 Conference |
|--|--------------------|
| Nat'l Water Level Observation Network (NWLON) | 3,000 |
| Physical Oceanographic Real-Time Sys (PORTS) | 2,981 |
| Subtotal, Tide & Current Data | 9,965 |
| Total, Navigation Services | 81,035 |
| Coastal Assessment Program: | |
| Aquatic Research Consortium--MS | 2,500 |
| Coastal Change Analysis | 500 |
| Alliance for Coastal Technologies (CBL/UMD) | 2,500 |
| CA Ctr. for Integrative Coastal Research (CI-CORE) | 2,500 |
| Carolina Coastal Ocean Obs & Prediction Sys (USC) | 2,500 |
| Center for Coastal Ocean Obs & Analysis (UNH) | 2,500 |
| Center for Integrated Marine Technologies (USoCal) | 2,500 |
| Coastal Observation Technology System (CSC) | 2,200 |
| Coastal Ocean Research & Monitoring Pgm (UNCW) | 2,500 |
| Gulf of Alaska Ecosystem Monitoring | 750 |
| Gulf of Maine Observing System | 2,000 |
| Long Island Sound Coastal Observing System | 1,800 |
| Southeastern Coastal Ocean Observing System | 2,000 |
| SoCal Coastal Ocean Observing System (Scripps) | 2,000 |
| Wallops Ocean Observation Project | 2,000 |
| Coastal Monitoring & Prediction--West coast FL | 1,250 |
| Coastal Rest. & Enhance. thru S&T (CREST) | 500 |
| Coastal Services Center | 19,000 |
| Coastal Storms | 2,750 |
| Coop Inst for Coastal & Estuarine Enviro Tech (CICEET) | 6,550 |
| National Coral Reef Program | 23,850 |
| Florida--National Coral Reef Institute | 1,000 |
| Hawaii Coral initiative | 1,250 |
| Nature Conservancy of HI Marine Program | 250 |
| Puerto Rico DNER Coral Reef Initiative | 500 |
| JASON Education and Outreach | 2,484 |
| Lake Pontchartrain | 1,987 |
| National Fish and Wildlife Foundation - NFWF | 1,490 |
| Pacific Services Center | 1,987 |
| B-WET Hawaii | 500 |
| Subtotal, Coastal Assessment Program | 96,098 |
| Response and Restoration: | |
| Aquatic Resource Environmental Initiative- KY | 4,968 |

| NATIONAL OCEAN SERVICE (\$000) | FY04 Conference |
|---|--------------------|
| Center for Marine Spill Response Technology | 2,000 |
| Coastal Protection and Restoration Project | 1,864 |
| Damage Assessment Program | 2,282 |
| Edisto Beach Marsh Restoration | 100 |
| Hazardous Materials Response Program | 1,619 |
| Marine Debris Removal - Alaska | 500 |
| Marine Debris Removal - South Carolina | 175 |
| Subtotal, Response and Restoration | 13,508 |
| Coastal Research: | |
| Monterey Bay Watershed | 500 |
| Prince William Sound Science Center (Now/Forecast) | 500 |
| South Florida Ecosystem | 900 |
| Woods Hole HAB | 2,500 |
| Subtotal, Coastal Research | 4,400 |
| National Centers for Coastal Ocean Science (NCCOS): | |
| Ctr for Coastal Environ'l Health & Biomoleculr Research | 7,923 |
| Extramural Research | 3,857 |
| LUCES & high salinity estuaries (Baruch) | 2,000 |
| Oxford, MD | 3,000 |
| Extramural Research | 2,000 |
| Center for Coastal Fisheries Habitat Research | 1,148 |
| Extramural Research | 1,750 |
| Center for Coastal Monitoring & Assessment | 2,196 |
| Extramural Research | 2,000 |
| Center for Sponsored Coastal Ocean Research | 1,500 |
| Marine Environment Health Research Lab (MERHL) | 4,000 |
| Subtotal, NCCOS | 31,374 |
| Coastal Ocean Science | |
| South Florida Ecosystem (monitoring) | 1,192 |
| Subtotal, Coastal Ocean Science | 1,192 |
| Coastal Management | |
| CZM Grants | 68,518 |
| Marine Protected Areas | 3,974 |
| National Estuarine Research Reserve System | 16,294 |
| Nonpoint Pollution Implementation Grants | 9,936 |
| Subtotal, Coastal Management | 98,722 |
| Marine Sanctuary Program | |
| Marine Sanctuary Continuing Activities | 32,787 |

| NATIONAL OCEAN SERVICE (\$000) | FY04 Conference |
|--|--------------------|
| Northwest Straits Citizens Advisory Commission | 750 |
| Subtotal, Marine Sanctuary Program | 33,537 |
| Payment to OMAO | 2,793 |
| GRAND TOTAL, NATIONAL OCEAN SERVICE - ORF | 513,910 |

NATIONAL MARINE FISHERIES SERVICE

The conference agreement includes \$639,990,000 for the operations of the National Marine Fisheries Service (NMFS).

The conference agreement adopts, by reference, language proposed by the House under the heading of Regulatory Streamlining.

The conference agreement adopts, by reference, language proposed by the Senate under the headings of Base Funding, Regional Office Financial Accountability, Fisheries Enforcement, Enforcement and Surveillance, International Conservation of Sea Turtles, Decline Pacific Marine Mammals, Enforcement of International Dolphin Agreement, Gulf/Atlantic Turtle Excluder Devices, Fisheries Research and Management, Seafood Inspections, and Ecosystem Management.

The conferees remain concerned regarding the seismic and erosion conditions near the Southwest Fisheries Science Center (SWSC). The conferees understand that economies of scale may be achieved by collocating the SWSC with other NOAA facilities in California. In 1997, the Department of Commerce Office of the Inspector General issued a report, which highlighted options for relocation of the SWSC. The Committee directs NOAA to issue a follow-on report on the best location for SWSC facilities by no later than June 30, 2004.

The conferees expect NMFS to allocate sufficient funds to achieve ten percent ob-

server coverage in the New England ground-fish fishery, and in the non-directed fishery to the extent practicable, by no later than May 1, 2004.

The conferees expect NOAA to continue to support the Center for Coastal Studies' efforts regarding right whale protection and expect the final funding allocation to be based on recommendations of the right whale program coordinator at the Center.

The conference agreement adopts, by reference, language proposed by the House under the headings of Chesapeake Bay, Habitat Conservation and Management, NMFS Facilities Maintenance, and Saltonstall-Kennedy.

The conferees recognize the value of NOAA presence and programs in Louisiana in serving the northern Gulf of Mexico region. The conferees expect a report to be submitted by the agency on the development and installation of a Coastal Services Center to be established in the state and to serve the Northern Gulf of Mexico Region.

The conferees understand that on February 21, 2003, the National Oceanic and Atmospheric Administration (NOAA) issued new regulations to increase the dimension of Turtle Excluder Device (TED) openings to protect endangered sea turtles. The Final Rule went into effect on April 15, 2003 in the South Atlantic and August 21, 2003, in the Gulf of Mexico. Industry representatives in Louisiana and South Texas have voiced concern about the impact of TEDs on shrimp catch

and loss of income for the industry. Conservation groups and scientists, on the other hand, have expressed serious concern over the status of these turtle populations and have threatened litigation to ensure sea turtle protection. The conferees direct NOAA to work with the National Academy of Sciences on a multi-year, comprehensive in-water study designed to accurately measure shrimp fishery effort and the impacts of such effort on sea turtle mortality, including measuring turtle-shrimp trawl interaction in the inshore, nearshore and offshore waters of the Gulf of Mexico and similar geographical locations in the South Atlantic. The conferees expect observers to be placed on the commercial shrimp fishing vessels for the purposes of the study.

The study shall evaluate innovative technologies to increase shrimp retention in TEDs but also ensure the protection of endangered and threatened sea turtles. The National Academy of Sciences shall provide an interim report to the committee every six months summarizing preliminary findings.

The conference agreement includes language transferring funding to the Marine Mammal Commission.

The conference agreement adopts, by reference, language proposed by the Senate regarding the Gulf and South Atlantic Fisheries Development Foundation.

| NATIONAL MARINE FISHERIES SERVICE | FY04 Conference |
|---|--------------------|
| Marine Mammals & Sea Turtles: | |
| California Sea Lions/Protected Species Management (PSM) | 750 |
| Cook Inlet Beluga | 150 |
| Dolphins: | |
| Bottlenose Dolphin: | |
| Data Analysis | 1,000 |
| Research | 2,000 |
| Take Reduction Teams | 1,000 |
| Dolphin Encirclement | 2,293 |
| Dolphin/Yellowfin Tuna Research | 248 |
| Manatees - New College (MMP) | 250 |
| Marine Mammal Protection (MMP)/NMFS Activities | 4,000 |
| Marine Mammal Strandings: | |
| Alaska SeaLife Center | 1,000 |
| Charleston Health and Risk Assessment | 800 |
| Prescott Grant Program | 4,000 |
| Marine Mammals, Sea Turtles & Other Species/Endangered Species Act (ES) | 3,477 |
| Marine Mammal Commission Studies (protection/predation) | 1,207 |
| Native Marine Mammals: | |
| Alaska Eskimo Whaling Commission | 497 |
| Participation of AEWC in International Whaling Commission Meeting | 100 |
| Alaska Harbour Seals | 149 |
| Aleut Pacific Marine Resources Observers | 125 |
| Beluga Whale Committee | 225 |
| Bristol Bay Native Association | 50 |
| National Fish & Wildlife Foundation (NFWF) Species Mgmt (PSM) | 1,000 |
| North Pacific Southern Resident Orca Population (PSM) | 1,500 |
| Right Whale Activities (ESA) | 10,621 |
| Cooperative State Plans | 2,000 |
| Sea Turtles: | |
| ESA | 5,250 |
| Hawaiian Sea Turtles | 7,300 |
| Rancho Nuevo Sea Turtles | 350 |
| Southeastern Sea Turtles | 300 |
| Seals: | |
| Harbor Seals: | |
| Alaska Native Harbor Seal Commission | 400 |
| NMFS Activities | 1,600 |
| SeaLife Center | 1,000 |
| State of Alaska | 1,000 |
| Hawaiian Monk Seals | 825 |

| NATIONAL MARINE FISHERIES SERVICE | FY04 Conference |
|--|--------------------|
| Ice Seals (MMP) | 248 |
| Steller Sea Lions: | |
| Endangered Species Act | 850 |
| N. Pacific Universities MM Consortium (and Harbor Seal Research) | 2,500 |
| Recovery Plan: | |
| Alaska Fisheries Foundation | 1,000 |
| Alaska Sea Life Center | 6,000 |
| Fisheries Management (North-Pacific Council) | 2,000 |
| NMFS Activities | 3,761 |
| State of Alaska | 2,000 |
| Univ of AK Gulf Apex Predator | 1,000 |
| Winter Food Limitation Research (Prince William Sound SC) | 1,000 |
| Subtotal, Marine Mammals & Sea Turtles | 76,826 |
| Fish: | |
| Alaska Fisheries Development Foundation | |
| Alaska Fisheries Information Network (AKFIN) | |
| Alaska Groundfish Monitoring: | |
| Bering Sea Fishermen's Association Community Development Quota | 175 |
| Crab Research NMFS | 473 |
| NMFS Activities | 2,087 |
| NMFS Field Fishery Monitoring | 300 |
| NMFS Rockfish Research | 340 |
| Winter Pollock Survey | 800 |
| Alaska Near Shore Fisheries State of Alaska | 1,000 |
| Alaskan Groundfish Surveys: | |
| Calibration Studies | 240 |
| NMFS Activities | 441 |
| American Fisheries Act: | |
| Implementation | 3,525 |
| National Standards 4 and 8 State of Alaska | 499 |
| NMFS Activities | 2,174 |
| Anadromous Fish Commission -- North-Pacific | 750 |
| Anadromous Grants | 2,100 |
| Atlantic Billfish Research | 2,500 |
| Atlantic Herring and Mackerel | 200 |
| Bering Sea Pollock Research | 945 |
| Bluefin Tuna Tagging - Monterey | 550 |
| Bluefish/Striped Bass: | 700 |
| Chesapeake Bay | 500 |
| Long Island Sound | 250 |
| Rutgers | 827 |

| NATIONAL MARINE FISHERIES SERVICE | FY04 Conference |
|---|--------------------|
| Charleston Bump | 650 |
| Billfish Tagging | 500 |
| Chesapeake Bay Multi-Species Management | 500 |
| Expand Stock Assessments - Improve Data Collection | 19,014 |
| California Oceanic Cooperative Fisheries Investigation (CalCOFI) | 900 |
| Narragansett Bay (Phase II) | 1,000 |
| Fish Statistics | 14,000 |
| Atlantic States Marine Fisheries Commission | 2,000 |
| Economics & Social Sciences Research | 4,200 |
| National Fisheries Information System | 2,575 |
| National Standard 8 | 1,000 |
| Fisheries Development Program: | |
| Hawaiian Fisheries Development | 750 |
| Product Quality and Marketing: | |
| Gulf Shrimp | 2,000 |
| South Atlantic Shrimp | 2,000 |
| Product Quality and Safety/Seafood Inspection | 8,685 |
| Fisheries Management Programs | 27,657 |
| Gulf Fisheries Information Network (GULF FIN) Data Collection Effort | 3,500 |
| Gulf of Maine Groundfish Survey | 567 |
| Halibut Data Collection | 447 |
| Halibut/Sablefish | 1,200 |
| Hawaii Stock Management Plan (Oceanic Institute) | 500 |
| Highly Migratory Shark Fishery Research Program (Mote) | 2,000 |
| Interjurisdictional Fisheries Grants | 2,590 |
| Interstate Fish Commissions: | |
| 3 Commissions | 750 |
| Atlantic Cooperative Management | 7,250 |
| Large Pelagics Research Program (UNH) | 3,100 |
| Marine Fisheries Initiative (MARFIN): | |
| NMFS Activities | 2,500 |
| Monkfish Trawl | 600 |
| New England Stock Depletion | 1,000 |
| Pacific Coast Fisheries Information Network (PACFIN) Catch Effort Data | 3,000 |
| Recreational Fishery Harvest Monitoring/Rec. Fisheries Info Ntwk (RECFIN) | 3,450 |
| RECFIN - SC (inshore recreational species assessment/tagging) | 500 |
| Red Snapper Monitoring and Research | 4,968 |
| Reduce Fishing Impacts on Essential Fish Habitat (EFH) | 500 |
| Reducing Bycatch | 3,800 |
| Gulf/Atlantic Turtle Excluder Device (GSAFD) | 1,200 |
| Regional Councils | 15,000 |

| NATIONAL MARINE FISHERIES SERVICE | FY04 Conference |
|--|--------------------|
| Salmon: Atlantic Salmon: ESA 2,203 Recovery Plan 397 Research 705 State of Maine Salmon Recovery (PSM) 1,200 Chinook Salmon: Management 150 Pacific Salmon Treaty - Chinook Salmon Agreement 1,844 State of Alaska 1,340 Yukon River Chinook Salmon: State of Alaska 700 Yukon River Drainage Fisheries Assoc 499 Pacific Salmon: Columbia River: Endangered Species Act - Columbia River BIOP implementation 1,590 Endangered Species Studies 299 Facilities 3,365 Hatcheries and Facilities 11,457 Hatcheries - Monitor, Evaluation and Reform 1,700 Pacific Salmon Treaty 5,612 Recovery (ESA) 32,453 Western Alaska Salmon Failure - Bering Sea Fisherman's Assoc. 1,000 Virginia Fisheries Trawl Survey 500 West Coast Groundfish 5,000 | |
| Subtotal, Fish | 243,943 |
| Crustaceans & Mollusks: Bering Sea Crab (State of Alaska) 900 Blue Crab Advanced Research Consortium 2,000 Chesapeake Bay Oyster Restoration 2,000 Horseshoe Crab Research (HCRC) 650 Lobster Sampling 150 Mobile Bay Oyster Recovery 1,000 Non-Native Oyster Chesapeake Bay Project - VA 2,000 Oyster Restoration (Chesapeake - VIMS) 2,000 Scallop Fishery Assessment (MFI) 2,000 Shrimp Pathogens: South Carolina 650 South Carolina Oyster Recovery 1,000 | |
| Subtotal, Crustaceans & Mollusks | 14,350 |
| Enforcement & Observers: Enforcement & Surveillance: | |

| NATIONAL MARINE FISHERIES SERVICE | FY04 Conference |
|--|--------------------|
| Driftnet Act Implementation | 1,375 |
| Ghostnet - High Seas Driftnet Detection | 250 |
| NMFS Activities | 1,800 |
| Pacific Rim Fisheries | 150 |
| State Participation - AK/WA | 200 |
| Enforcement & Surveillance | 24,648 |
| Cooperative Agreements w/States | 17,275 |
| Vessel Monitoring System | 4,000 |
| Observers/Training: | |
| Atlantic Coast Observers | 3,328 |
| Hawaii Longline Observer Program | 4,000 |
| N. Pacific Marine Resources Observers | 1,875 |
| N. Pacific Observer Program | 800 |
| NE Groundfish Court-Ordered Observers | 9,500 |
| S. Atlantic/Gulf Shrimp Observers | 800 |
| West Coast Observers | 5,000 |
| Subtotal, Enforcement & Observers | 75,001 |
| Habitat Conservation & Restoration: | |
| Bay Watersheds Education and Training Program | 2,500 |
| Connecticut River Partnership | 300 |
| Fisheries Habit Restoration: | |
| Bronx River Restoration | 1,000 |
| Community-Based Restoration Grants | 12,000 |
| Pinellas County Environmental | 1,500 |
| Habitat Conservation | 9,218 |
| Instream Flow Pilot Program (UNH) | 600 |
| Narragansett Bay Marine Education Program (Save the Bay) | 500 |
| Refine EFH Designations | 1,000 |
| Subtotal, Habitat Conservation & Restoration | 28,618 |
| Other Activities Supporting Fisheries: | |
| Antarctic Research | 1,540 |
| Center for Marine Education and Research (MS) | 3,000 |
| Chesapeake Bay Studies | 3,500 |
| Climate Regimes & Ecosystem Productivity | 1,500 |
| Conservation & Recovery with States | 994 |
| Consortium for Fisheries & Wildlife Conflict Resolution (UNH/NEA/VIMS) | 500 |
| Cooperative Research: | |
| Cooperative Marine Education & Research | 200 |
| Cooperative Research - North Pacific Research Board | 3,000 |
| National Cooperative Research | 2,750 |
| NE Cooperative Research | 3,750 |

| NATIONAL MARINE FISHERIES SERVICE | FY04 Conference |
|---|--------------------|
| NEC Cooperative Marine Education & Research | 200 |
| Northeast Consortium | 5,000 |
| SC Cooperative Research | 2,000 |
| SE Cooperative Research | 3,250 |
| West Coast Groundfish Cooperative Research | 1,000 |
| Ecosystem Management: | |
| Gulf of Mexico | 500 |
| Middle Atlantic | 500 |
| New England | 500 |
| South Atlantic | 500 |
| FMP Extended Jurisdiction, State of Alaska | 1,200 |
| Gulf of Alaska Coastal Communities Coalition | 425 |
| Hawaiian Community Development | 500 |
| Information Analysis and Dissemination | 21,508 |
| Joint Institute for Marine & Atmospheric Research (JIMAR), HI | 2,500 |
| Magnuson-Stevens Implementation off Alaska | 7,250 |
| Marine Environmental Research Institute | 300 |
| Marine Resources Monitoring, Assessment & Prediction Pgm (MarMap) | 1,250 |
| NAPA/NAS Management Review | 200 |
| National Environmental Policy Act (NEPA) | 3,000 |
| New England Multi-Species Survey (SMAST) | 3,000 |
| Science Consortium on Ocean Research (SCORE)--NH/WA | 1,000 |
| Southeast Area Monitoring & Assessment Program (SEAMAP) | 1,750 |
| South Carolina Taxonomic Center | 500 |
| Subtotal, Other Activities Supporting Fisheries | 78,567 |
| Salaries & Expenses | 115,285 |
| Pacific Islands Regional Office | 5,000 |
| NW Fisheries Science Center (West Coast Groundfish Team) | 1,700 |
| | 121,985 |
| | 700 |
| GRAND TOTAL, NATIONAL MARINE FISHERIES SERVICE - ORF | |

OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes \$400,813,000 for the Oceanic and Atmospheric Research (OAR) line office.

The conferees support NOAA's efforts to provide national and international leadership on critical environmental issues, and to address the environmental research and development needs of internal NOAA customers, States, industry, and other Federal agencies. The conferees expect OAR to prioritize research efforts that have true operational benefits to NOAA.

The conference agreement adopts, by reference, language proposed by the House and Senate regarding a review of research requirements and a certain laboratory plan, and language proposed by the Senate under the heading NISA Alaska.

The conference agreement includes \$12,000,000 for the National Undersea Re-

search Program, of which \$6,000,000 is for research conducted through the east coast NURP centers and \$6,000,000 is for the west coast NURP centers, including Hawaiian and Pacific Center and the West Coast and Polar Regions Center. The conferees expect fiscal year 2003 funding to be available for Aquarius, and ALVIN.

Of the amounts provided under the climate research heading, \$2,500,000 is for the Analytical Center for Climate and Environmental Change to enhance existing capabilities.

The conference agreement includes \$500,000 to expand efforts of the Cooperative Sensor Development Laboratory in cooperation with the Atlantic Oceanographic and Meteorological Laboratory and the Pacific Marine Environmental Laboratory.

The conference agreement includes \$3,525,000 for ballast water demonstrations and technologies, of which \$1,700,000 is for a

collaborative ballast water treatment test bed platform for the purpose of determining the effectiveness of injecting ozone into ballast water to kill invasive aquatic species. NOAA is directed to prepare, for the Committees on Appropriations, a report, no later than ninety days after the enactment of this Act, showing the impact of ozone in eradicating invasive species and the presence of any toxic effluents in the treated ballast water. Further, of the amounts provided \$1,825,000 is for ballast water demonstrations to mitigate concerns in the Chesapeake Bay and the Great Lakes.

The conference agreement includes \$994,000 to provide for an autonomous underwater vehicle, selected based on Brooks Act qualifications, for survey services in the deep water of the central Gulf of Mexico.

| NOAA RESEARCH | FY04 Conference |
|--|--------------------|
| Climate Research: | |
| Laboratories & Joint Institutes | 48,000 |
| Subtotal, Laboratories & Joint Institutes | 48,000 |
| Climate & Global Change Program | 66,900 |
| Accelerating Climate Models - IRI | 1,500 |
| Aerosols-Climate Interaction | 2,000 |
| Subtotal, Climate & Global Change Program | 70,400 |
| Climate Observations & Services: | |
| ARGO-Related Costs | 10,950 |
| Baseline Operations | 2,500 |
| Carbon Cycle | 6,800 |
| Climate & Environmental Change | 2,500 |
| Climate Change Assessments | 646 |
| Climate Data & Info and CLASS | 1,000 |
| Climate Modeling Center (GFDL) | 5,000 |
| Climate Reference Network | 3,000 |
| Global Climate Atmospheric Observing System | 3,974 |
| Ocean Observations/Ocean Systems | 10,022 |
| Regional Assessments, Education and Outreach | 3,732 |
| Weather-Climate Connection | 900 |
| Subtotal, Climate Observations & Services | 51,024 |
| Climate Partnership Programs: | |
| Abrupt Climate Change Research (U of ME) | 500 |
| Arctic Research Initiative (SEARCH) | 1,987 |
| East Tennessee Ozone Study | 300 |
| Subtotal, Climate Partnership Programs | 2,787 |
| Total, Climate Research | |
| Laboratories & Joint Institutes | 39,097 |
| U.S. Weather Research Program | 5,314 |
| Targeted Wind Sensing | 2,000 |
| Subtotal, U.S. Weather Research Program | 7,314 |
| Weather & Air Partnership Programs: | |
| AIRMAP | 5,000 |
| New England Air Quality Study | 3,000 |
| Remote Sensing Research (ISU/BCAL) | 500 |
| STORM | 500 |

| NOAA RESEARCH | FY04 Conference |
|---|--------------------|
| Tornado Severe Storm Research (PAR Evaluation) | 1,001 |
| Subtotal, Weather & Air Partnership Programs | 10,001 |
| Total, Weather & Air Quality Research | |
| Ocean, Coastal, and Great Lakes Research: | |
| Laboratories & Joint Institutes | 20,398 |
| Milfoil (NH) | 590 |
| Subtotal, Ocean, Coastal, and Great Lakes Research: | 20,988 |
| National Sea Grant College Program Continuing Activities: | 54,410 |
| Aquatic Nuisance Species/Zebra Mussel Research | 2,981 |
| Fish Extension | 2,000 |
| Gulf of Mexico Oyster Initiative | 1,000 |
| Marine Invasive Species Program (HI) | 250 |
| Oyster Disease Research | 1,987 |
| Subtotal, National Sea Grant College Program | 62,628 |
| National Undersea Research Program - Continuing Activities: | 12,000 |
| National Institute for Undersea Science and Technology | 5,000 |
| Ocean Exploration | 13,200 |
| Submersible Microtechnology Research (LA) | 994 |
| NMNH East Wing (Oceans) | 16,000 |
| Ocean & Coastal Partnership Programs: | |
| Aquatic Ecosystems-Canaan Valley Institute | 4,272 |
| Arctic Research | 1,703 |
| Cooperative Institute for New England Mariculture and Fisheries | 3,000 |
| Cooperative Sensor Development Lab for Oceans & Climate | 500 |
| Great Lakes Toxicity | 500 |
| Gulf of Maine Habitat Restoration Initiative (GOM Council) | 1,000 |
| Institute for Science, Technology & Public Policy (Texas A&M) | 1,000 |
| Lake Champlain Research Consortium | 250 |
| National Invasive Species Act - Alaska | 1,300 |
| Ballast Water Demonstrations - Chesapeake Bay and Great Lakes | 3,525 |
| NOAA Marine Aquaculture Program | 785 |
| Pacific Tropical Ornamental Fish | 500 |
| Ocean Health Initiative | 10,000 |
| Subtotal, Ocean & Coastal Partnership Programs | 28,335 |
| Total, Ocean, Coastal, and Great Lakes Research | |
| High Performance Information Technology | |
| Payment to OMAO | |
| GRAND TOTAL NOAA RESEARCH - ORF | |

November 25, 2003

CONGRESSIONAL RECORD—HOUSE

H12503

NATIONAL WEATHER SERVICE

The conference agreement includes \$729,685,000 for the operations of the National Weather Service.

The conference agreement adopts, by reference, language proposed by the Senate under the headings of Budget Structure, Network Integrity, NEXRAD Coverage, NOAA Profiler Network, and Phased Array Radar Engineering and Manufacturing.

The conference agreement transfers funding from the "Oceanic and Atmospheric Research" to this account for tsunami mitigation efforts.

The conference agreement includes funding for the operations of five Micronesian weather service offices located at Pohnpei, Yap, Chuuk, Koror, and Majuro, as proposed. The conferees understand that the Department of the Interior will no longer reimburse NOAA

for the costs of the Compact of Free Association that expires in 2003.

The conference agreement includes funding for the Susquehanna River basin project and Delaware Basin efforts within funding for the Advanced Hydrological Prediction Services.

The conference agreement includes \$100,000 for a transmitter for Kemmerer and Dubois, Wyoming.

| NATIONAL WEATHER SERVICE | FY04 Conference |
|--|--------------------|
| Aviation Weather Warnings & Forecasts | 63,700 |
| Central Forecast Guidance | 39,102 |
| Local Warnings and Forecasts | 493,525 |
| Adv. Weather Interactive Processing Sys (AWIPS) | 37,570 |
| Automated Surface Observing System (ASOS) | 8,248 |
| Gateway Back Up - Mt. Weather (recurring operations) | 3,042 |
| Next Generation Weather Radar (NEXRAD) | 44,040 |
| Subtotal, Salaries, Benefits, and Expenses | 689,227 |
| Advanced Hydrological Prediction Services | 6,058 |
| Air Quality Forecasting Pilot Program | 3,000 |
| Alaska Data Buoys | 1,500 |
| Facilities Physical Security | 250 |
| High Resolution Temperature Forecasting | 4,200 |
| Hurricane Mitigation Alliance (SUSF) | 3,750 |
| North Dakota Ag Weather Network | 270 |
| Mt. Washington Observatory | 1,000 |
| NC Flood Warning System | 600 |
| New England Weather Technology Initiative | 500 |
| NOAA Profiler Network | 4,150 |
| Pacific Island Compact | 3,550 |
| Phased Array Radar (PAR) Engineering/Manufacturing | 20 |
| Sustain Cooperative Observer Network | 1,890 |
| Tsunami Hazard Mitigation | 4,300 |
| Pacific Ocean Monitoring Buoy Augmentation | 600 |
| Tsunami Warning & Environ'l Obs for AK (TWEAK) | 2,000 |
| Weather Radio Transmitters Base | 2,320 |
| Subtotal, Programs | 39,958 |
| Payment to OMAO | 500 |
| GRAND TOTAL NATIONAL WEATHER SERVICE - ORF | 729,685 |

November 25, 2003

CONGRESSIONAL RECORD—HOUSE

H12505

NATIONAL ENVIRONMENTAL SATELLITE, DATA,
AND INFORMATION SERVICE

The conference agreement includes \$153,827,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service.

The conference agreement includes \$500,000 for the Interagency Global Positioning System Executive Board Secretariat, and \$600,000 for the Office of Space Commercialization. The conferees transfer these functions from the heading "Technology Administration", as proposed by the Senate.

The conference agreement adopts, by reference, language proposed by the Senate under the heading of Budget Structure.

The conference agreement includes \$2,500,000 for a data storage facility in West Virginia.

| NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE | FY04 Conference |
|---|--------------------|
| Environmental Satellite Observing Systems | |
| Product Processing and Distribution | 23,618 |
| Satellite Command and Control | 35,218 |
| Subtotal, Environmental Satellite Observing Systems | 58,836 |
| Product Development, Readiness & Application | |
| Global Wind Demonstration | 4,000 |
| Joint Center/Accelerate Use of Satellites | 1,491 |
| NESDIS Activities | 19,000 |
| Subtotal, Product Development, Readiness & Application | 24,491 |
| Commercial Remote Sensing Licensing & Enforcement | 1,200 |
| Interagency Global Positioning System Executive Board Secretariat | 500 |
| Office of Space Commercialization | 600 |
| Total, Satellite Systems | 84,527 |
| Archive, Access & Assessment | |
| KY | 7,925 |
| MD | 4,925 |
| Quality assurance/quality control (NC) | 1,600 |
| WV | 7,925 |
| GOES Active Archive | 2,500 |
| NESDIS Activities | 25,577 |
| Subtotal, Archive, Access & Assessment | 50,452 |
| Coastal Data Development | 4,513 |
| Regional Climate Centers | 3,000 |
| International Pacific Research Center (U of HI) | 2,000 |
| Environmental Data Systems Modernization | 11,335 |
| Total, NOAA's Data Centers & Information Services | 69,300 |
| Payment to OMAO | 300 |
| GRAND TOTAL NESDIS-ORF | 153,827 |

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PROGRAM SUPPORT

The conference agreement includes \$310,295,000 for the Program Support line of-
fice.

The conference agreement includes lan-
guage to prohibit NOAA funding to support

the Department of Commerce's E-govern-
ment initiative.

The conference agreement adopts, by ref-
erence, language proposed by the House
under the heading of Office Relocations,

Pribilof Island Cleanup, and Minority Serv-
ing Institutions.

The conference agreement adopts, by ref-
erence, language proposed by the Senate
under the heading of Truth in Budgeting.

| PROGRAM SUPPORT | FY04 Conference |
|---|--------------------|
| Corporate Services: | |
| Commerce Administrative Management System (CAMS) | 9,561 |
| Educational Partnership Program/Minority Serving Institution | 15,000 |
| National Ocean Science Competition | 1,500 |
| Office of Acquisition & Grants | 2,700 |
| Grants On-Line | 1,100 |
| Office of the Chief Administrative Officer | 14,255 |
| Office of the Chief Financial Officer | 10,689 |
| Office of the Chief Information Officer | 3,610 |
| Office of Human Resources | 2,360 |
| Office of Program Analysis & Evaluation | 1,553 |
| Payment to the DoC Working Capital Fund | 38,758 |
| Payment to the NOAA Business Management Fund | 57,162 |
| Program Planning and Integration | 2,000 |
| Under Secretary and Associate Offices | 17,524 |
| General Counsel Legal Consultation Costs | 7,500 |
| Total, Corporate Services | 185,272 |
| Facilities | |
| Environmental Compliance | 1,987 |
| Pribilof Islands Cleanup | 8,000 |
| Total, Facilities | 9,987 |
| Marine Operations & Maintenance | |
| Marine Services: | |
| AGATE PASS (Coastal YTT) Operations | 290 |
| FAIRWEATHER Operations | 2,500 |
| HIILAKAI (Vindicator) Operations | 2,200 |
| LITTLEHALES Operations | 290 |
| Marine Services (Fleet Operations): | 13,857 |
| Salaries & Expenses | 60,260 |
| NOAA Corps Pay Raise Differential | 1,000 |
| OSCAR DYSON Operations | 750 |
| Univ-Nat'l Oceanographic Lab Sys (UNOLS) (Days at Sea - West Coast) | 2,000 |
| Subtotal, Marine Services | 83,147 |
| Fleet Planning and Maintenance: | |
| AGATE PASS (Coastal YTT) Maintenance | 250 |
| FAIRWEATHER Maintenance | 740 |
| Fleet Planning and Maintenance | 10,537 |
| LITTLEHALES Maintenance | 100 |
| Salaries & Expenses | 800 |

Subtotal, Fleet Planning and Maintenance
Total, Marine Operations and Maintenance

95,574

Total, Aircraft Services
Future Health Care Benefits for Current Officers
Total, Marine and Aviation Operations
GRAND TOTAL PROGRAM SUPPORT - ORF

6,067
12,200

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PROCUREMENT, ACQUISITION AND CONSTRUCTION

The conference agreement includes \$990,127,000 under this heading.

The conference agreement adopts, by reference, language proposed by the House under the headings of Marine Sanctuaries

Construction, Construction, Geostationary Systems and Polar Orbiting Systems, and language proposed by the Senate under the headings Land Acquisition and Construction and Other NOS Facilities.

The conferees expect NOAA to submit a re-programming, pursuant to section 605 of this

Act, should a land acquisition project specifically identified in this report become no longer viable.

The following distribution reflects the activities funded within this account:

| PROCUREMENT, ACQUISITION AND CONSTRUCTION | FY04 Conference |
|---|--------------------|
| NOS: | |
| Coastal and Estuarine Land Conservation Program (CELCP): | |
| Buffalo Bend | 700 |
| East Hampton | 1,000 |
| Goleta | 800 |
| Kelly's Island | 200 |
| North Hempstead | 500 |
| Starvation Cove | 600 |
| Orange Beach (Robinson Island), AL | 1,000 |
| Elkhorn Slough/Moss Landing, CA | 1,500 |
| San Pablo Bay, CA | 1,000 |
| Sand Hill Bluff (Santa Cruz Co.), CA | 2,000 |
| South Orange Natural Community, CA | 500 |
| Mill River, CT | 200 |
| Salt Island Overlook (Westbrook), CT | 300 |
| Coastal Lands, HI | 3,000 |
| Camp Salmen, LA | 700 |
| Westwego, LA | 1,600 |
| Monomoy River (Harwich), MA | 1,675 |
| Chesapeake, Eastern Shore ("Glatfelter properties"), MD | 6,000 |
| Royal River (Yarmouth), ME | 1,600 |
| Saugatuck Dunes, MI | 2,500 |
| Mississippi Coastal Preserve System | 2,000 |
| Seacoast, NH | 2,000 |
| Barnegat Bay, NJ | 2,000 |
| Gunning Island, NJ | 1,500 |
| Bass Islands, OH | 3,000 |
| Grand River (Lake County), OH | 1,000 |
| Lake Erie Shoreline (Canal Basin), OH | 3,000 |
| Third Beach (Middletown), RI | 750 |
| Dragon's Run | 1,000 |
| Potomac Watershed/Above Washington | 3,000 |
| Bainbridge Island, WA | 2,000 |
| Maury Island, WA | 2,000 |
| Saxine Creek/Bibon Swamp (Bayfield County), WI | 750 |
| Subtotal, Coastal and Estuarine Land Conservation Program | 51,375 |
| | 4,500 |
| | 1,500 |

| PROCUREMENT, ACQUISITION AND CONSTRUCTION | FY04 Conference |
|--|--------------------|
| St. Jones River, DE | 250 |
| Blackbird Creek, DE | 2,250 |
| Guana Tolomato Matanzas Reserve | 2,000 |
| Jacques Cousteau NERR, NJ | 3,000 |
| Old Woman Creek NERR, OH | 400 |
| Subtotal, Estuarine Acquisition & Construction | 13,900 |
| Sec. 2 (FWCA) Coastal/Estuarine Land Acquisition: | |
| Bonneau Ferry, SC | 16,750 |
| Great Bay Partnership, NH | 6,000 |
| Subtotal, Sec. 2 (FWCA) Coastal/Estuarine Land Acquisition | 22,750 |
| Marine Sanctuaries Construction: | 5,296 |
| Maui Humpback Whale Sanctuary | 2,200 |
| Subtotal, Marine Sanctuary Construction | 7,496 |
| Other NOS Facilities: | |
| Fort Johnson Joint Laboratory (SCDNR) Modernization | 2,000 |
| Kasitsna Bay Laboratory | 4,000 |
| Conservation Institute | 1,200 |
| Marine Environmental Health Research Laboratory Expansion & Equip. | 6,000 |
| Subtotal, Other NOS Facilities | 13,200 |
| Total NOS - PAC | 108,721 |
| NMFS | |
| Systems Acquisition | |
| Computer Hardware & Software | 3,492 |
| Subtotal, NMFS Systems Acquisition | 3,492 |
| Construction: | |
| Aquatic Resource Program | 5,000 |
| Honolulu Lab | 12,000 |
| Pascagoula Laboratory - NMFS | 2,000 |
| Phase III - Galveston Laboratory Renovation - NMFS | 2,000 |
| Southeastern Regional Office - NMFS | 1,600 |
| Subtotal, NMFS Construction | 22,600 |
| Total, NMFS - PAC | 26,092 |
| OAR | |
| Systems Acquisition: | |
| Comprehensive Large Array Data Stewardship System | 3,200 |
| Research Supercomputing (CCRI) | 10,000 |
| Subtotal, OAR Systems Acquisition | 13,200 |
| Construction: | |
| Barrow Arctic Research Center (Phase I) | 8,500 |

| PROCUREMENT, ACQUISITION AND CONSTRUCTION | FY04 Conference |
|--|--------------------|
| Subtotal, OAR Construction | 8,500 |
| Total, OAR - PAC | 21,700 |
| NWS: | |
| Systems Acquisition: | |
| Advanced Weather Interactive Processing System (AWIPS) | 14,134 |
| All Hazard National Warning Network - NOAA Weather Radio | 5,500 |
| Automated Surface Observing System (ASOS) | 5,125 |
| Next Generation Weather Radar (NEXRAD) | 11,500 |
| NWS Telecommunications Gateway (NWSTG) Legacy Replacement | 2,870 |
| Radiosonde Network Replacement | 6,989 |
| Weather and Climate Supercomputing | 19,285 |
| Weather and Climate Supercomputing - Backup | 7,148 |
| NOAA Science Center (NCEP) | 10,400 |
| WFO Construction | 13,630 |
| WFO Maintenance | 7,390 |
| Geostationary Systems | 277,554 |
| Polar Orbiting Systems | 391,083 |
| EOS & Advanced Polar Data | 2,500 |
| CIP Single Point of Failure | 2,800 |
| Coastal Remote Sensing - CSC | 500 |
| Subtotal, NESDIS Systems Acquisition | 674,437 |
| Construction: | |
| Suitland Facility | 8,217 |
| Subtotal, NESDIS Construction | 8,217 |
| Total, NESDIS - PAC | 682,654 |
| Program Support: | |
| AMNH | 1,000 |
| Maintenance - Backlog | 5,000 |
| Maintenance - Cyclical | 2,550 |
| Aircraft Upgrade & Replacement: | |
| G-IV Instrumentation Upgrades | 4,600 |
| Required Regulatory Upgrades to Aircraft | 1,343 |
| Turbo Commander Replacement | 1,550 |
| WP-3D Navigation Upgrade | 1,645 |
| Fisheries Research Vessel Replacement #3 | 17,000 |
| Hiialakai (Vindicator) fit out | 2,500 |
| Ship Acquisition, Conversion, & Maint. (climate/hydro/fish/enf.) | 4,101 |
| Sonar for Long-Range Fisheries Research | 5,700 |
| Subtotal, OMAO Fleet Upgrade & Replacement | 29,301 |

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| PROCUREMENT, ACQUISITION AND CONSTRUCTION | FY04 Conference |
|---|--------------------|
| Total, Program Support - PAC | 46,989 |
| GRAND TOTAL PAC | 990,127 |

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PACIFIC COASTAL SALMON RECOVERY

The conference agreement includes \$90,000,000, the same amount as proposed by both the House and the Senate, of which \$5,000,000 is for the State of Idaho, \$26,274,000 is for the State of Washington, \$20,868,000 is for the State of Alaska, \$13,133,000 is for the State of Oregon, \$13,133,000 is for the State of California, \$8,500,000 is for the Pacific coastal tribes, and \$3,092,000 is for the Columbia River tribes.

Of the amounts provided to the State of Washington, \$4,000,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish report, and \$1,800,000 is for the purchase of mass marking equipment used at Federal hatcheries in Washington State to promote selective fisheries and protect threatened and endangered species.

Of the funds provided for the State of Alaska, \$3,500,000 is for the Arctic Yukon-Kuskokwim Sustainable Salmon Initiative; \$1,000,000 is for the Cook Inlet Fishing Community Assistance Program; \$500,000 is for the Yukon River Drainage Association; \$3,368,000 is for Fairbanks hatchery facilities; \$1,500,000 is for the City of Adak for marine related infrastructure; \$250,000 is for the State of Alaska to participate in discussions regarding the Columbine River hydrosystem management and for fisheries revitalization; \$100,000 is for the United Fishermen of Alaska's subsistence program; \$3,500,000 is to restore salmon fisheries in Anchorage at Ship Creek, Chester Creek, and Campbell Creek including habitat restoration and facilities; \$1,500,000 is to restore salmon runs in Resurrection Bay at the Alaska SeaLife Center; \$1,000,000 is for scientific fisheries systems riverine sonar; \$150,000 is for the Southeast Revitalization Association for its fleet stabilization program; \$1,000,000 is to mitigate albatross-fish interactions; \$2,000,000 is for the Kenai River; \$1,000,000 is for the Russian River; \$200,000 is to restore the Craig watershed; and \$300,000 is for Chinook Salmon Research in Auke Bay.

Of the amounts provided to the State of Oregon, \$1,100,000 is for conservation mass marking at the Columbia River Hatcheries.

FISHERIES FINANCE PROGRAM ACCOUNT

The conference agreement includes language to support up to \$59,000,000 to finance fishing capacity reduction loan programs, of which \$40,000,000 may be used for the United States distant water tuna fleet, and \$19,000,000 may be used for the United States menhaden fishery. Further, the conference agreement includes language to support up to \$5,000,000 for Individual Fishing Quota loans.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes \$47,289,000 for costs related to managing the Department of Commerce. Of the amount provided, \$900,000 is for costs related to the renovation of the Herbert C. Hoover building. The conference agreement includes designating \$1,621,000 and 12 full-time equivalents for the legislative affairs function of the Department.

The conference agreement adopts, by reference, language proposed by the House under the heading of Office Relocations.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes \$21,116,000 for the Inspector General for fiscal year 2004, the same amount as proposed by the Senate, instead of \$22,000,000 as proposed by the House.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING RESCISSION)

The conference agreement includes the following general provisions for the Department of Commerce:

Section 201 of the bill making Department of Commerce funds available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.

Section 202 making appropriations for the Department in the bill for Salaries and Expenses available for hire of passenger motor vehicles, and for services, uniforms and allowances as authorized by law.

Section 203 prohibiting any of the funds for NOAA being used to support hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

Section 204 providing the authority to transfer funds between Department of Commerce appropriation accounts and requiring notification to the Committees of certain actions.

Section 205 providing that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall not be subject to the reprogramming limitations set forth in this Act.

Section 206 allowing the Department of Commerce franchise fund to retain earnings from services.

Section 207 designating funds for certain projects.

Section 208 designating amounts available in the "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" fund and including language to provide authorities for a certain Board.

Section 209 providing authorities for the Economic Development Administration.

Section 210 authorizing the Secretary of Commerce to operate a marine laboratory.

Section 211 extending the Emergency Steel Loan Guarantee Act of 1999 and including language providing \$2,000,000 to administer the program.

Section 212 providing additional funding for certain projects.

Section 213 providing the authority and amounts to administer a certain program regarding a lobster fishery.

Section 214 providing the authority and amounts to administer a certain program regarding a Bering Sea and Aleutian Islands non-pollock groundfish fishery.

Section 215 rescinding \$100,000,000 from certain unobligated balances.

TITLE III—THE JUDICIARY

The conferees adopt by reference the House report language concerning the submission of a financial plan within 45 days after enactment of this Act. If shortfalls arise during the course of fiscal year 2004, the conferees expect the Judiciary to attempt to address these shortfalls through the reprogramming process, consistent with section 605 of this Act, before requesting supplemental appropriations.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement includes \$55,360,000 for the salaries and expenses of the Supreme Court, as provided by the House, instead of \$59,414,000 as provided by the Senate. The conferees are supportive of the funding increases, and report language included in the Senate report concerning data systems, additional personnel, and the Metrocheck transit subsidy program. Within the funding

level provided, the conferees ask the Court to fund these programs to the maximum extent possible based on the Court's priorities. The Court's financial plan is expected to outline the Court's allocation of funding among these priorities. As described in the Senate report, the Court is also expected to report to the Committees on Appropriations on the savings associated with hiring systems accountants to replace contractors.

The conferees adopt by reference the House report language concerning minority hiring and diversity among law clerks.

CARE OF THE BUILDING AND GROUNDS

The conference agreement includes \$10,591,000 for the Supreme Court "Care of the Building and Grounds" account, as provided by the House, instead of \$4,658,000 as provided by the Senate. The conference agreement adopts by reference the House report language concerning the submission of a study, within 90 days of enactment of this Act, on the feasibility of establishing a visitor screening site outside of the Supreme Court building.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The conference agreement includes \$20,662,000 for the United States Court of Appeals for the Federal Circuit, as provided by the Senate, instead of \$20,665,000 as provided by the House. The conference agreement provides no funding to establish a Deputy Circuit Executive, as described in the Senate report.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The conference agreement includes \$14,068,000 for the U.S. Court of International Trade, as provided by the House, instead of \$13,210,000 as provided by the Senate.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The conference agreement provides \$3,994,176,000 for the salaries and expenses of the Courts of Appeals, District Courts and Other Judicial Services instead of \$4,004,176,000 as provided by the House and \$3,894,021,000 as provided by the Senate.

The conferees would like to see greater emphasis on automation in local courts. The conferees understand that the time required to hear Court cases can be reduced by as much as 15 percent through the use of technologies in the courtroom. The Conferees direct the Judiciary to continue to implement these new technologies in courtrooms.

The conferees adopt by reference the Senate report language requiring a report on the savings generated by the CM/ECF program and requiring a report on the Court Operations Support Center. The conferees adopt by reference the House report language concerning Electronic Public Access fees.

The conferees are concerned with the methodology used to prepare and the presentation of the Judiciary's information technology budget and long-range plan. The conferees expect the Administrative Office of the United States Courts (AO) to work with the Committees on Appropriations on the presentation of funding requests for this program. The conferees are concerned with the presentation of new initiatives in the O&M budget, and as well as the large amount of O&M funding required in proportion to the total information technology budget request.

The conferees understand that the Judiciary's staffing, operations and maintenance, and information technology resources are allocated to the courts according to formulas intended to equitably distribute resources

the longer-term effects of such exports/subsidies on specific U.S. industries;

Various means to compensate losses of U.S. intellectual property holders created by China's inability to meet its WTO intellectual property commitments;

Shifts of research and development from the United States to China, the nature of the 134 major foreign research and development corporate complexes now identified by the People's Republic of China, the prospects for future European Union, Japanese, and United States research and development shifts to China, and the resulting implications to U.S. capacities;

Items on the U.S.—China Advanced Technology Trade list cross-referenced to the items on the Department of Defense's Critical Technology List, and what part of total U.S. purchases of these items are imported from China;

An analysis of the extent of professional service outsourcing that now exists and is projected from the United States and the ultimate location of that outsourcing, and quantifications of the longer-term consequences to affected U.S. professions, such as software engineering;

A survey of business groups on the extent to which U.S. manufacturers and their supply chains are relocating to China.

The conferees expect this report to be provided to the Committees on Appropriations no later than May 1, 2004.

TITLE VI—GENERAL PROVISIONS

The conference agreement includes the following General Provisions:

Sec. 601.—The conference agreement includes section 601 regarding the use of appropriations for publicity and propaganda purposes.

Sec. 602.—The conference agreement includes section 602 regarding the availability of appropriations for obligation beyond the current fiscal year.

Sec. 603.—The conference agreement includes section 603 regarding the use of funds for consulting purposes.

Sec. 604.—The conference agreement includes section 604 providing that should any provision of the Act be held to be invalid, the remainder of the Act would not be affected.

Sec. 605.—The conference agreement includes section 605 regarding the policy by which funding available to the agencies funded under this Act may be reprogrammed for other purposes.

Sec. 606.—The conference agreement includes section 606 regarding the construction, repair, or modernization of National Oceanic and Atmospheric Administration vessels in overseas shipyards.

Sec. 607.—The conference agreement includes section 607 regarding the purchase of American made products.

Sec. 608.—The conference agreement includes section 608 prohibiting funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission (EEOC) similar to proposed guidelines covering harassment based on religion published by the EEOC in October 1993.

Sec. 609.—The conference agreement includes section 609 prohibiting the use of funds to implement a certain Memorandum of Agreement between the Federal Trade Commission and the Antitrust Division of the Department of Justice.

Sec. 610.—The conference agreement includes section 610 prohibiting the use of funds for any United Nations peacekeeping mission that involves U.S. Armed Forces under the command or operational control of a foreign national unless the President certifies that the involvement is in the national security interest.

Sec. 611.—The conference agreement includes section 611 that requires agencies to provide quarterly reports to the Committees on Appropriations regarding unobligated balances.

Sec. 612.—The conference agreement includes section 612 that prohibits use of funds to expand the U.S. diplomatic presence in Vietnam beyond the level in effect July 11, 1995, unless the President makes a certification that several conditions have been met regarding Vietnam's cooperation with the United States on POW/MIA issues.

Sec. 613.—The conference agreement includes section 613 requiring agencies and departments funded in this Act to absorb any necessary costs related to downsizing or consolidation within the amounts provided to the agency or department.

Sec. 614.—The conference agreement includes section 614 concerning funding under the Local Law Enforcement Block Grant program.

Sec. 615.—The conference agreement includes section 615 regarding the sale or export of tobacco or tobacco products.

Sec. 616.—The conference agreement includes section 616 extending the prohibition on the use of funds to issue a visa to any alien involved in extrajudicial and political killings in Haiti, including exemption and reporting requirements.

Sec. 617.—The conference agreement includes section 617 that prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993, and prohibits implementation of a background check system which does not require or result in destruction of certain information.

Sec. 618.—The conference agreement includes section 618 regarding amounts available under the Crime Victims Fund.

Sec. 619.—The conference agreement includes section 619 prohibiting the use of Department of Justice funds for programs that discriminate against, denigrate, or otherwise undermine the religious beliefs of students participating in such programs.

Sec. 620.—The conference agreement includes section 620 prohibiting the use of funds appropriated or otherwise made available to the Departments of State and Justice to process visas for citizens of countries that the Attorney General has determined deny or delay accepting the return of deported citizens.

Sec. 621.—The conference agreement includes section 621 providing additional amounts for the Small Business Administration.

Sec. 622.—The conference agreement includes section 622 prohibiting the use of Department of Justice funds to transport a maximum or high security prisoner to any facility other than a facility certified by the Bureau of Prisons as appropriately secure to house such a prisoner.

Sec. 623.—The conference agreement includes section 623 that prohibits the use of appropriated funds to purchase certain audio-visual materials to be used by Federal prisoners for primarily recreational purposes.

Sec. 624.—The conference agreement includes section 624 regarding a position within the Small Business Administration.

Sec. 625.—The conference agreement includes section 625 regarding transfers of funds.

Sec. 626.—The conference agreement includes section 626 regarding the negotiation or reevaluation of international agreements.

Sec. 627.—The conference agreement includes section 627 regarding the implementation of telecommuting programs.

Sec. 628.—The conference agreement includes section 628 regarding the Small Business Administration Disaster Loans Program.

Sec. 629.—The conference agreement includes section 629 regarding the national ownership cap on television broadcast licenses.

Sec. 630.—The conference agreement includes section 630 regarding firearms tracing studies.

Sec. 631.—The conference agreement includes section 631 regarding a Small Business Administration loan program fee.

Sec. 632.—The conference agreement includes section 632 regarding Small Business Administration balances.

Sec. 633.—The conference agreement includes section 633 regarding a Middle East International Center.

Sec. 634.—The conference agreement includes section 634 regarding patents.

The conferees have included a provision prohibiting funds to process patents of human organisms. The conferees concur with the intent of this provision as expressed in the colloquy between the provision's sponsor in the House and the ranking minority member of the House Committee on Appropriations as occurred on July 22, 2003, with respect to any existing patents on stem cells.

Sec. 635.—The conference agreement includes section 635 regarding the United Nations Human Rights Commission.

Sec. 636.—The conference agreement includes section 636 regarding international child abduction.

Sec. 637.—The conference agreement includes section 637 regarding the HELP Commission.

Sec. 638.—The conference agreement includes section 638 regarding amount provided in this Act.

TITLE VII—RESCISSIONS

(Including Rescissions)

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

The conference agreement includes a rescission of \$67,326,000 from unobligated balances in this account, instead of \$499,000 as proposed by the Senate. The House did not propose a rescission.

COUNTERTERRORISM FUND

(RESCISSION)

The conference agreement includes a rescission of \$40,000,000 from prior year unobligated balances in this account instead of \$50,000,000 as proposed by the Senate. The House did not propose a rescission. The conferees note that unobligated balances of \$20,784,000 remain available for obligation in this account.

LEGAL ACTIVITIES

ASSET FORFEITURE FUND

(RESCISSION)

The conference agreement includes a rescission of \$61,608,000 from available balances in the Asset Forfeiture Fund Super Surplus.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

(RESCISSION)

The conference agreement includes a rescission of \$51,895,000 from prior year unobligated balances in this account originally made available for the FCI California prison construction project.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT

ASSISTANCE

(RESCISSION)

The conference agreement includes a rescission of \$21,600,000 from unobligated balances under this heading including \$2,500,000

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from Drug Courts, \$13,600,000 from State Prison Grants, \$4,000,000 from State Prison Drug Treatment, and \$1,500,000 from CCTV.

COMMUNITY ORIENTED POLICING SERVICES
(RESCISSION)

The conference agreement includes a rescission of \$6,378,000 from the unobligated balances under this heading, as requested and as included in the House bill.

JUVENILE JUSTICE PROGRAMS
(RESCISSION)

The conference agreement includes a rescission of \$15,900,000 from the unobligated balances under this heading for Part B formula grants.

DEPARTMENT OF COMMERCE AND
RELATED AGENCIES

DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
OPERATIONS AND ADMINISTRATION
(RESCISSION)

The conference agreement includes a rescission of \$40,000,000 from unobligated travel and tourism funds provided in Public Law 108-7.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

COASTAL AND OCEAN ACTIVITIES
(RESCISSION)

The conference agreement includes a rescission of \$2,500,000 in unobligated land acquisition funds provided in Public Law 106-553 and designated for Winyah Bay.

TITLE VIII—ALASKAN FISHERIES

The conference agreement includes language regarding the management of Alaskan fisheries.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2004 recommended by the Committee of Conference, with comparisons to the fiscal year 2003 amount, the 2004 budget estimates, and the House and Senate bills for 2004 follows:

(In thousands of dollars)

| | |
|--|--------------|
| New budget (obligational) authority, fiscal year 2003 | \$40,530,029 |
| Budget estimates of new (obligational) authority, fiscal year 2004 | 41,211,965 |
| House bill, fiscal year 2004 | 41,230,679 |
| Senate bill, fiscal year 2004 | 40,372,908 |
| Conference agreement, fiscal year 2004 | 41,041,509 |
| Conference agreement compared with: | |
| New budget (obligational) authority, fiscal year 2003 | +511,480 |
| Budget estimates of new (obligational) authority, fiscal year 2004 | -170,456 |
| House bill, fiscal year 2004 | -189,170 |
| Senate bill, fiscal year 2004 | +668,601 |

DIVISION C

DISTRICT OF COLUMBIA APPROPRIATIONS

In implementing this agreement, the Departments and agencies should comply with the language and instructions set forth in House Report 108-214 and Senate Report 108-142. The committee of conference approves the language and instructions set forth in these reports, which are not changed by the conference agreement.

In the case where the language and instructions specifically address the allocation of funds, the Departments and agencies are to follow the funding levels specified in the

Congressional budget justifications accompanying the fiscal year 2004 budget or the underlying authorizing statute and should give full consideration to all items, including items allocating specific funding included in the House and Senate reports. With respect to the provisions in the House and Senate reports that specifically allocate funds, each has been reviewed and those that are jointly concurred in have been included in this joint statement.

A summary chart appears later in this statement showing the Federal appropriations by account and the allocation of District funds by agency or office under each appropriation, the fiscal year 2004 request, the House and Senate recommendations, and the conference allowance.

The District of Columbia Appropriations Act, 2004, put in place by this bill, incorporates the following agreements of the managers:

TITLE I—FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION
SUPPORT

The conference agreement includes \$17,000,000 for a Federal payment for resident tuition support as proposed by both the House and Senate. The agreement also includes language to require the Office of the Chief Financial Officer to provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate as proposed by the House. The Senate bill required the Resident Tuition Support Office and the Office of the Chief Financial Officer to provide such a report.

FEDERAL PAYMENT FOR EMERGENCY PLANNING
AND SECURITY COSTS IN THE DISTRICT OF
COLUMBIA

The conference agreement includes \$11,000,000 for a Federal payment for emergency planning and security costs in the District of Columbia. This amount, together with funds carried over from fiscal year 2003, provides a total program level of \$15,000,000 as proposed by both the House and Senate. The agreement makes a technical correction describing the use of these funds as proposed by the House.

FEDERAL PAYMENT TO THE DISTRICT OF
COLUMBIA COURTS

The conference agreement includes \$167,765,000 for a Federal payment to the District of Columbia courts, instead of \$163,819,000 as proposed by the House and \$172,104,000 as proposed by the Senate. Included in this amount is \$3,946,000 above the President's request for fire and security system upgrades, Moultrie Courthouse renovation, and the Integrated Justice Information System. The Courts shall provide written notification of how this funding will be distributed to the Committees on Appropriations of the House of Representatives and Senate.

The agreement includes a provision as proposed by the Senate to allow the District of Columbia courts to reallocate not more than \$1,000,000 of the funds provided under this heading among items and entities funded under this heading. The House bill allowed funds for the Court of Appeals, Superior Court, and Court System to be reallocated, but such reallocation may increase or decrease funding for such entity by no more than two percent.

The conferees understand the Courts have submitted plans to the National Capital Planning Commission for the restoration of the Old Courthouse for re-use by the District of Columbia Court of Appeals, but the Commission is holding up review of these plans pending an agreement with the Law Enforcement Museum on a design for the outdoor plaza area. The conferees expect the project

will move forward as quickly as possible to permit efficient use of taxpayer dollars, and note that delaying the review and approval of the restoration plan could needlessly increase the cost of the project.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA
COURTS

The conference agreement includes \$32,000,000 for Defender Services in District of Columbia courts as proposed by both the House and Senate.

The agreement includes language as proposed by the Senate to allow funds to be used for payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code. The House bill contained no similar provision.

The agreement includes modified Senate language to allow the courts to enter into contractual agreements to provide guardian ad litem representation, training, technical assistance, and/or other services to improve the quality of guardian ad litem representation. The House bill contained no similar provision. The Joint Committee on Judicial Administration of the District of Columbia shall monitor the guardian ad litem program and provide the necessary technical support to ensure superior representation of children and families.

The agreement also includes two provisions as proposed by the House to allow District of Columbia Court funds to be used for payments under this heading and to allow the Joint Committee on Judicial Administration to use District of Columbia Court funds to make payments described under this heading for obligations incurred during any fiscal year. The Senate bill contained no similar provisions.

FEDERAL PAYMENT TO THE COURT SERVICES
AND OFFENDER SUPERVISION AGENCY FOR THE
DISTRICT OF COLUMBIA

The conference agreement includes \$168,435,000 for a Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia, instead of \$163,081,000 as proposed by the House and \$173,396,000 as proposed by the Senate. Included in this amount is \$1,910,000 above the President's request to reduce supervision caseload ratios for sex-offenders, mental health, and domestic violence cases to 25:1 by the end of fiscal year 2004. Current caseload ratios for these high-risk offenders are 36:1, 47:1, and 42:1 respectively.

The agreement includes language as proposed by the Senate to allow the Public Defender Service for the District of Columbia to transfer and hire motor vehicles. The House bill contained no similar provision. The agreement does not include Public Defender Service descriptive language as proposed by the Senate. The House bill contained no similar provision.

The agreement does not include a provision proposed by the Senate to allow the Director of the Court Services and Offender Supervision Agency the authority to accept appropriation reimbursements from the District government for space and services provided on a cost reimbursable basis. The House bill contained no similar provision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
WATER AND SEWER AUTHORITY

The conference agreement includes \$30,000,000 for a Federal payment to the District of Columbia Water and Sewer Authority for the continued implementation of the Combined Sewer Overflow Long-Term Plan, instead of \$35,000,000 as proposed by the House and \$25,000,000 as proposed by the Senate.

H12746

CONGRESSIONAL RECORD—HOUSE

November 25, 2003

Sec. 161. requires the Director, Office of Management and Budget to consult with Alaska Native corporations on the same basis as Indian tribes under Executive Order 13175.

Sec. 162. provides a total of \$50,000,000 from the highway trust fund for the reconstruction of the Treasure Island Bridge in Florida and for plaza design and road improvements at the John F. Kennedy Center in Washington, D.C.

Sec. 163 extends the Japanese Imperial Government Disclosure Act for one additional year.

Cash balance plans.—The conference agreement on the Departments of Transportation and Treasury, and Independent Agencies Appropriations Act, 2004 directs the Secretary of the Treasury to prepare a legislative proposal that would provide transition relief to older and longer service participants affected by conversions from traditional defined benefit plans to cash balance plans. The conference agreement also prohibits the use of funds to complete certain regulations pending at the Treasury Department. The purpose of this prohibition is not to call into question the validity of hybrid pension plan designs (cash balance and pension equity). The purpose of the prohibition is to preserve the status quo with respect to conversions

through the entirety of fiscal year 2004 while the applicable committees of jurisdiction review the Treasury Department's legislative proposals.

Sec. 164. The conference agreement includes a provision related to the distribution of certain Department of Housing and Urban Development block grant funds to Alaska Native recipients.

Sec. 168. The conference agreement includes a rescission of \$1,800,000,000 funds made available to the Department of Defense and made available in P.L. 107-38 and P.L. 107-117, as well as a 0.59 percent across-the-board rescission to discretionary budgetary resources provided in fiscal year 2004 regular appropriations Acts (except Defense and Military Construction), as well as to any previously enacted fiscal year 2004 advance appropriation.

BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
FRANK R. WOLF
(except for section
617 of Division B),
JAMES T. WALSH,
DAVE HOBSON,
HENRY BONILLA,
JACK KINGSTON,

RODNEY P.
FRELINGHUYSEN,
GEORGE R. NETHERCUTT,
Jr.,
TOM LATHAM,
VIRGIL GOODE,
RAY LAHOOD,
JOHN P. MURTHA,

Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER BOND,
MITCH MCCONNELL,
CONRAD BURNS,
RICHARD C. SHELBY,
JUDD GREGG,
ROBERT F. BENNETT,
BEN NIGHTHORSE
CAMPBELL,
LARRY E. CRAIG,
KAY BAILEY HUTCHISON,
MIKE DEWINE,
SAM BROWNBACK,
DANIEL K. INOUE,
TOM HARKIN,

Managers on the Part of the Senate.